

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION AT MEMPHIS

FRIENDS OF GEORGE'S, INC.,

Plaintiff,

v.

STEVEN J. MULROY,

Defendant,

and

the STATE OF TENNESSEE,

Intervenor under Rule 5.1.

Case Nos. 2:23-cv-02163, -02176

NOTICE OF WITHDRAWAL IN PART OF PREVIOUS FILING

I. NOTICE

On April 19, 2023, the Plaintiff in this Action, FRIENDS OF GEORGE'S, INC., served notice that it was voluntarily dismissing Governor Bill Lee in his individual and official capacities, Attorney General Jonathan Skrmetti in his individual and official capacities, and District Attorney General Steven J. Mulroy in his official capacity only. (ECF No. 45). Following the parties' status conference held April 25, 2023, Plaintiff here gives NOTICE that it WITHDRAWS that prior filing, but only as to the purported dismissal of District Attorney Mulroy in his official capacity. Plaintiff intends, as a result of this withdrawal, that it will continue to assert claims against District Attorney Mulroy in his both his individual and official capacities. It does not withdraw the notice of dismissal as to Governor Lee or Attorney General Skrmetti, but asks that this Court construe

the April 19, 2023 notice as a motion to drop these state officials from the Action under Federal Rule of Civil Procedure 21.

Dated April 25, 2023.

Respectfully submitted,

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*Application for admission by examination pending.

Attorneys for Plaintiff Friends of George's Inc.

II. CERTIFICATE OF SERVICE

I certify this motion is filed on April 25, 2023, via the District Court's electronic-filing service, and all counsel of record will be automatically served by operation of the same.

/s/ Jacob Webster Brown